ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD MINUTES OF MEETING FEBRUARY 20, 2008 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on February 20, 2008, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sheriff Gary Butler, Chairman Detective Lee Ann Dobbertin

Mr. Joseph Duarte

Attorney General Terry Goddard

Chief Jack Harris

Chief Patricia Huntsman

Ms. Wendy Larsen

Director Dora Schriro

Detective Robert Thompson

Director Roger Vanderpool

Sheriff Chris Vasquez

Members Absent:

Dr. Michael Polakowski Chief Jerry Sheridan

Staff in Attendance:

Ted Brandon

Daniel Ciernia

Marie Dryer

Bob Forry

Tom Hammarstrom

Lynn Howe

Steve Jacobs

Lori Ketron

Gary Maschner

Curt Milam

Paul Orfe

Sandy Sierra

Maria Valtierra

Assistant Attorney General
Diana Stabler

A. CALL TO ORDER

Chairman Butler called the meeting to order at 10:01 a.m.

B. LEGISLATIVE UPDATE

Director Hammarstrom briefed the Board on two bills currently in the legislature that will impact POST. The first bill deals with the peace officer authority of constables and the second bill deals with the elimination of a background investigation or polygraph examination if an officer retires in good standing and is hired by another law enforcement agency. He will keep the Board posted on the outcome of these bills.

C. FINAL ACTION CASES:

Case #1 – Brian K. Hough – Apache County Sheriff's Office

Sheriff Butler and Sheriff Vasquez recused themselves from this case. Ms. Larsen was acting chair for this case. The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Harris, motion carried unanimously.

Case #2 – Victor D. Kingsley – Maricopa County Sheriff's Office

Mr. Duarte recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Sheriff Vasquez made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #3 – Christopher M. Ray – Mesa P.D.

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Director Vanderpool, motion carried unanimously.

<u>Case #4 – Robert A. Remsik – Phoenix</u> P.D.

Chief Harris recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Mr. Duarte made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Mr. Goddard, motion carried unanimously.

Case #5 – David G. Wiley II – Maricopa County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Sheriff Vasquez, motion carried unanimously.

Case #6 – Frank S. DeStefano – Phoenix P.D.

Chief Harris and Ms. Larsen recused themselves from this case. The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #7 - Sean J. Gray - Yavapai County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Sheriff Vasquez, motion carried unanimously.

Case #8 - David S. Mansur - Maricopa County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Ms. Larsen, motion carried unanimously.

Case #9 – Terry R. Wade Jr. – Maricopa County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Chief Harris made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Ms. Larsen, motion carried unanimously.

D. NEW CHARGING CASES:

Case #1 - Adam G. Charkosky - Pima County Sheriff's Office

This case was continued.

Case #2 – Shanna L. Guthery – Page P.D.

Director Vanderpool made a motion to close with case with **No Action with Agency Discretion**, seconded by Chief Harris, motion carried unanimously.

Case #3 – Larry C. Holloway – Holbrook P.D.

Sheriff Butler recused himself from this case. Ms. Larsen was acting chair for this case. Director Vanderpool made a motion to close with case with **No Action**, seconded by Chief Huntsman, motion carried unanimously.

Case #4 – Jesse A. Huggins – Pima County Sheriff's Office

Detective Dobbertin recused herself from this case. Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried unanimously.

Case #5 - David J. Parent - Lake Havasu City P.D.

Director Vanderpool made a motion to *Initiate Proceedings*, seconded by Chief Huntsman, motion carried unanimously.

Case #6 – Brian K. Carmichael – Phoenix P.D.

Chief Harris and Ms. Larsen recused themselves from this case. Director Vanderpool made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried with one nay vote.

Case #7 – Kevin J. Prinski – Phoenix P.D.

Chief Harris and Ms. Larsen recused themselves from this case. Director Vanderpool made a motion to *Initiate Proceedings*, seconded by Mr. Goddard, motion carried with one nay vote.

<u>Case #8 – Mark A. Wilcox – Phoenix P.D.</u>

Chief Harris and Ms. Larsen recused themselves from this case. Sheriff Vasquez made a motion to **Initiate Proceedings**, seconded by Mr. Goddard, motion carried with one nay vote.

<u>Case #9 – Adam Peterson – Maricopa County Sheriff's Office</u>

Director Vanderpool made a motion to close this case with **No Action**, seconded by Chief Harris, motion carried unanimously.

Case #10 – Lionel B. Poolaw – Parker P.D.

Director Vanderpool made a motion to close this case with **No Action with Agency Discretion**, seconded by Sheriff Vasquez, motion carried unanimously.

Case #11 – Jennifer C. Russell – Pinetop-Lakeside P.D.

Chief Huntsman made a motion to close this case with **No Action**, seconded by Director Vanderpool, motion carried unanimously.

<u>Case #12 – Jarvis F. Russette – Navajo Department of Law Enforcement</u> This case was continued.

Case #13 - Alexander J. Victorio - Phoenix P.D.

Chief Harris recused himself from this case. Sheriff Vasquez made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously.

E. ADJOURN

Chairman Butler adjourned the meeting at 10:53 a.m.